

Calendar No. 551

105TH CONGRESS
2^D SESSION**S. 1665****[Report No. 105–312]**

To reauthorize the Delaware and Lehigh Navigation Canal National Heritage
Corridor Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 1998

Mr. SPECTER (for himself and Mr. SANTORUM) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

SEPTEMBER 8 (legislative day, AUGUST 31), 1998

Reported by Mr. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italie*]

A BILL

To reauthorize the Delaware and Lehigh Navigation Canal
National Heritage Corridor Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Delaware and Lehigh
5 National Heritage Corridor Act Amendments of 1998”.

1 **SEC. 2. NAME CHANGE.**

2 The Delaware and Lehigh Navigation Canal National
3 Heritage Corridor Act of 1988 (Public Law 100–692; 102
4 Stat. 4552) is amended by striking “Delaware and Lehigh
5 Navigation Canal National Heritage Corridor” each place
6 it appears (except section 4(a)) and inserting “Delaware
7 and Lehigh National Heritage Corridor”.

8 **SEC. 3. PURPOSE.**

9 Section 3(b) of the Delaware and Lehigh National
10 Heritage Corridor Act of 1988 (Public Law 100–692; 102
11 Stat. 4552) is amended—

12 (1) by inserting after “subdivisions” the follow-
13 ing: “in enhancing economic development within the
14 context of preservation and”; and

15 (2) by striking “and surrounding the Delaware
16 and Lehigh Navigation Canal in the Common-
17 wealth” and inserting “the Corridor”.

18 **SEC. 4. CORRIDOR COMMISSION.**

19 (a) MEMBERSHIP.—Section 5(b) of the Delaware and
20 Lehigh National Heritage Corridor Act of 1988 (Public
21 Law 100–692; 102 Stat. 4553) is amended—

22 (1) in the matter preceding paragraph (1), by
23 striking “appointed not later than 6 months after
24 the date of enactment of this Act”;

25 (2) by striking paragraph (2) and inserting the
26 following:

1 ~~“(2) 3 individuals appointed by the Secretary~~
 2 ~~from among individuals recommended by the Gov-~~
 3 ~~ernor, of whom—~~

4 *“(2) 3 individuals appointed by the Secretary*
 5 *upon consideration of individuals recommended by*
 6 *the governor, of whom—*

7 “(A) 1 shall represent the Pennsylvania
 8 Department of Conservation and Natural Re-
 9 sources;

10 “(B) 1 shall represent the Pennsylvania
 11 Department of Community and Economic De-
 12 velopment; and

13 “(C) 1 shall represent the Pennsylvania
 14 Historical and Museum Commission.”;

15 (3) in paragraph (3), by striking “the Sec-
 16 retary, after receiving recommendations from the
 17 Governor, of whom” and all that follows through
 18 “Delaware Canal region” and inserting the follow-

1 ~~ing: “the Secretary from among individuals rec-~~
 2 ~~ommended by the Governor, of whom—~~

3 ~~ing: “the Secretary upon consideration of individuals~~
 4 ~~recommended by the governor, of whom—~~

5 “(A) 1 shall represent a city, 1 shall rep-
 6 resent a borough, and 1 shall represent a town-
 7 ship; and

8 “(B) 1 shall represent each of the 5 coun-
 9 ties of Luzerne, Carbon, Lehigh, Northampton,
 10 and Bucks in Pennsylvania”; and

11 (4) in paragraph (4)—

12 (A) by striking “8 individuals” and insert-
 13 ing “9 individuals”; and

14 (B) by striking “the Secretary, after re-
 15 ceiving recommendations from the Governor,
 16 who shall have” and all that follows through
 17 “Canal region. A vacancy” and inserting the
 18 ~~following: “the Secretary from among individ-~~
 19 ~~uals recommended by the Governor, of whom—~~
 20 ~~following, “the Secretary upon consideration of~~
 21 ~~individuals recommended by the governor, of~~
 22 ~~whom—~~

23 “(A) 3 shall represent the northern region
 24 of the Corridor;

1 “(B) 3 shall represent the middle region of
2 the Corridor; and

3 “(C) 3 shall represent the southern region
4 of the Corridor.

5 A vacancy”.

6 (b) TERMS.—Section 5 of the Delaware and Lehigh
7 National Heritage Corridor Act of 1988 (Public Law 100–
8 692; 102 Stat. 4553) is amended by striking subsection
9 (c) and inserting the following:

10 “(c) TERMS.—The following provisions shall apply to
11 a member of the Commission appointed under paragraph
12 (3) or (4) of subsection (b):

13 “(1) LENGTH OF TERM.—The member shall
14 serve for a term of 3 years.

15 “(2) CARRYOVER.—The member shall serve
16 until a successor is appointed by the Secretary.

17 “(3) REPLACEMENT.—If the member resigns or
18 is unable to serve due to incapacity or death, the
19 Secretary shall appoint, not later than 60 days after
20 receiving a nomination of the appointment from the
21 Governor, a new member to serve for the remainder
22 of the term.

23 “(4) TERM LIMITS.—A member may serve for
24 not more than 2 full terms starting after the date
25 of enactment of this paragraph.”.

1 ~~(e) CONFIRMATION.—Section 5 of the Delaware and~~
 2 ~~Lehigh National Heritage Corridor Act of 1988 (Public~~
 3 ~~Law 100–692; 102 Stat. 4553) is amended by adding at~~
 4 ~~the end the following:~~

5 ~~“(h) CONFIRMATION.—The Secretary shall accept or~~
 6 ~~reject an appointment under paragraph (3) or (4) of sub-~~
 7 ~~section (b) not later than 60 days after receiving a nomi-~~
 8 ~~nation of the appointment from the Governor.”.~~

9 **SEC. 5. POWERS OF THE COMMISSION.**

10 (a) CONVEYANCE OF REAL ESTATE.—Section
 11 7(g)(3) of the Delaware and Lehigh National Heritage
 12 Corridor Act of 1988 (Public Law 100–692; 102 Stat.
 13 4555) is amended in the first sentence by inserting “or
 14 nonprofit organization” after “appropriate public agency”.

15 (b) COOPERATIVE AGREEMENTS.—Section 7(h) of
 16 the Delaware and Lehigh National Heritage Corridor Act
 17 of 1988 (Public Law 100–692; 102 Stat. 4555) is amend-
 18 ed—

19 (1) in the first sentence, by inserting “any non-
 20 profit organization,” after “subdivision of the Com-
 21 monwealth,”; and

22 (2) in the second sentence, by inserting “such
 23 nonprofit organization,” after “such political sub-
 24 division,”.

1 ~~(e) GRANTS AND LOANS.—~~Section 7 of the Delaware
 2 and Lehigh National Heritage Corridor Act of 1988 (Pub-
 3 lie Law 100–692; 102 Stat. 4554) is amended—

4 ~~(1) by redesignating subsection (i) as subsection~~
 5 ~~(j); and~~

6 ~~(2) by inserting after subsection (h) the follow-~~
 7 ~~ing.~~

8 ~~“(i) GRANTS AND LOANS.—The Commission may ad-~~
 9 ~~minister any grant or loan from amounts—~~

10 ~~“(1) appropriated to the Commission for the~~
 11 ~~purpose of providing a grant or loan; or~~

12 ~~“(2) donated or otherwise made available to the~~
 13 ~~Commission for the purpose of providing a grant or~~
 14 ~~loan.”.~~

15 **SEC. 6. DUTIES OF THE COMMISSION.**

16 Section 8(b) of the Delaware and Lehigh National
 17 Heritage Corridor Act of 1988 (Public Law 100–692; 102
 18 Stat. 4556) is amended in the matter preceding paragraph
 19 (1) by inserting “, cultural, natural, recreational, and sce-
 20 nic” after “interpret the historic”.

21 **SEC. 7. TERMINATION OF THE COMMISSION.**

22 Section 9(a) of the Delaware and Lehigh National
 23 Heritage Corridor Act of 1988 (Public Law 100–692; 102
 24 Stat. 4556) is amended by striking “5 years after the date
 25 of enactment of this Act” and inserting “10 years after

1 the date of enactment of the Delaware and Lehigh Na-
 2 tional Heritage Corridor Act Amendments of 1997”.

3 **SEC. 8. DUTIES OF OTHER FEDERAL ENTITIES.**

4 Section 11 of the Delaware and Lehigh National Her-
 5 itage Corridor Act of 1988 (Public Law 100–692; 102
 6 Stat. 4557) is amended in the matter preceding paragraph
 7 (1) by striking “the flow of the Canal or the natural” and
 8 inserting “the historic, cultural, natural, recreational, or
 9 scenic”.
 10 inserting “*directly affecting the purposes of the Corridor*”.

11 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) COMMISSION.—Section 12(a) of the Delaware and
 13 Lehigh National Heritage Corridor Act of 1988 (Public
 14 Law 100–692; 102 Stat. 4558) is amended by striking
 15 “\$350,000” and inserting “\$650,000”.

16 (b) MANAGEMENT ACTION PLAN.—Section 12 of the
 17 Delaware and Lehigh National Heritage Corridor Act of
 18 1988 (Public Law 100–692; 102 Stat. 4558) is amended
 19 by adding at the end the following:

20 “(c) MANAGEMENT ACTION PLAN.—

21 “(1) IN GENERAL.—To implement the manage-
 22 ment action plan created by the Commission, there
 23 is authorized to be appropriated \$1,000,000 for each
 24 of fiscal years 1998 through 2007.

1 “(2) LIMITATION ON EXPENDITURES.—
 2 Amounts made available under paragraph (1) shall
 3 not exceed 50 percent of the costs of implementing
 4 the management action plan.”.

5 **SEC. 10. LOCAL AUTHORITY AND PRIVATE PROPERTY.**

6 The Delaware and Lehigh National Heritage Cor-
 7 ridor Act of 1988 (Public Law 100–692; 102 Stat. 4552)
 8 is amended—

9 (1) by redesignating section 13 as section 14;
 10 and

11 (2) by inserting after section 12 the following:

12 **“SEC. 13. LOCAL AUTHORITY AND PRIVATE PROPERTY.**

13 “The Commission shall not interfere with—

14 “(1) the private property rights of any person;
 15 or

16 “(2) any local zoning ordinance or land use
 17 plan of the Commonwealth of Pennsylvania or any
 18 political subdivision of Pennsylvania.”.

19 **SEC. 11. DUTIES OF THE SECRETARY.**

20 *Section 10(d) of the Delaware and Lehigh National*
 21 *Heritage Corridor Act of 1988 (Public Law 100–692; 102*
 22 *Stat. 4557) is amended by striking the subsection and in-*
 23 *serting—*

24 “(d) *TECHNICAL ASSISTANCE AND GRANTS.—The Sec-*
 25 *retary, upon request of the Commission, is authorized to*

- 1 *provide grants and technical assistance to the Commission*
- 2 *or units of government, nonprofit organizations, and other*
- 3 *persons, for development and implementation of the Plan.”.*

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